

Atty. Dkt. No. 039153-0363 (F0804)

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow. Claims 1, 6, 11, 15 and 18 are amended. No new matter is added.

In paragraphs 1-9 of the Office Action, the Examiner has restricted the application into four separate species. The Examiner states:

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, method for forming T-shaped gate conductor in the trench of the silicon rich nitride layer according to first embodiment.

Species II, method for forming T-shaped gate conductor in the trench of the silicon oxynitride (SION) layer according to second embodiment.

Species III, method for forming the trenches/aperture (figs. 4-5) by using selective etching process according to third embodiment.

Species IV, method for forming the trench/aperture by using RELACS (fig. 9) process according to fourth embodiment.

Applicants hereby elect Species I.

→ Applicants have amended Claims 1-20 to generically recite a silicon and nitrogen containing layer and that the gate conductor material is used "to form the T-shaped gate conductor." Applicants have removed the use of the term "selectively etching" in each of the independent claims and the term RELACS processing in each of the independent claims. Further, the independent claims neither specifically recite a silicon rich nitride layer or a silicon oxynitride layer and more generically state a layer containing silicon and nitrogen. Applicants respectfully request examination of amended Claims 1-20.

Applicants respectfully submit that Claims 1-4, 6, 7, 8-13 and 15-20 cover Species I and II. Claims 4, 8 and 14 cover Species I. Claims 1-20 now specifically

001.1395280.1

Atty. Dkt. No. 039153-0363 (F0804)

recite the formation of a T-shaped conductor in the trench and therefore are not applicable to Species III and IV.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

2-28-03

By

Joseph N. Ziebert

Joseph N. Ziebert
Attorney for Applicant
Registration No. 35,421

FOLEY & LARDNER
Suite 3800
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5768
Facsimile: (414) 297-4900

FAX RECEIVED
FEB 28 2003
TECHNOLOGY CENTER 2800